

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

In re: MARIAN K.YARTEH : NO. 17-12106REF
:
:
Debtor(s) : Chapter 13

STIPULATION AND ORDER

AND NOW, upon agreement of Marian K. Yarteh (“Debtor”) and Frederick L. Reigle, Chapter 13 Trustee (“Trustee”), by and through their counsel, intending to be legally bound hereby, the parties stipulate and agree as follows:

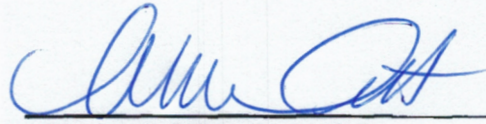
1. The Trustee filed an Objection to Exemptions on June 19, 2017.
2. This matter is scheduled for a hearing on the Trustee's Objection to Exemptions on July 20, 2017.
3. The Trustee believes that the Schedule C does not adequately address the Trustee's concerns regarding the exemption for the claim for personal injuries arising out of an automotive personal injury action, as it is undetermined at this time as to the amount of the recovery; whether the recovery is traceable to personal bodily injury or compensation for actual pecuniary loss; loss of future earnings and whether such amount is reasonably necessary for the support of debtor.
4. The parties also do not intend that the Trustee is bound by the amounts currently set forth in the Debtor's Schedule C but are merely agreeing to set aside these issues until the litigation is resolved.
5. The Trustee hereby withdraws his Objection to Claim of Exemptions without prejudice.
6. The Debtor will amend his Chapter 13 Plan to provide for any non-exempt proceeds from the litigation of the personal injury case to be paid into the plan to be distributed to unsecured creditors.
7. The parties agree that the Trustee may re-file his Objection at any time in the future and the Debtor hereby waives any objection, defense or argument he may have to the timeliness of that Objection.

8. This Stipulation shall also accrue to the benefit of any Chapter 7 Trustee should this case be converted to a Chapter 7.

AGREED AND CONSENTED TO:

 7/18/17

KEVIN K. KERCHER, ESQUIRE
Attorney for Debtor



LISA M. CIOTTI, ESQUIRE
Attorney for
Frederick L. Reigle, Chapter 13 Trustee

SO ORDERED, this ____ day of _____, 2017

Dated: _____

Richard E. Fehling, B. J.